

COBBETT'S WEEKLY POLITICAL REGISTER.

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The declaration of King Charles II., issued in the year 1670, contains the following passage: "the right of the flag is so ancient, that it was one of the first prerogatives of our royal predecessors, and ought to be the last, from which this kingdom should depart. It was never questioned, and it was expressly acknowledged in the treaty of Breda; and yet, this last summer, it was not only violated by the Dutch commanders at sea, and that violation afterwards justified at the Hague, but it was also represented by them in most courts of Christendom, as ridiculous for us to demand. An ungrateful insolence! That they should contend with us about the dominion of the seas, who, even in the reign of our royal father (in the years 1635, 1636, and 1637), thought it an obligation to be permitted to fish on them, by taking of licences, and for a tribute; and who owe their being now in a condition to make this dispute, to the protection of our ancestors and the valour and blood of their subjects."

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SUMMARY OF POLITICS.

AMERICAN STATES.—As the dispute with America is now become a matter of great public interest and importance, it may not be amiss, before I proceed to my intended observations of this week, to enable the reader to refer to the articles already published by me relating thereunto. They will be found as follows: in the preceding volume, at pages, 181, 236, 257, 523, 594, 673, 641; 720, 902, 961, 999, and, in the present volume, at page 16.—The whole of these articles will not cost above two hours in the reading, and the reading of them, will put any one in possession of most of the facts and arguments relating to the dispute. Thus prepared, he will enter upon the further progress of the discussion with much greater satisfaction to himself, and with much greater likelihood of forming a just opinion as to what ought now to be the line of conduct to be adopted by England towards America.—In the article, last referred to, notice was taken of the motion, made in the Congress respecting the monies of Baron Erskine of Clackmannan, in the American funds, the son of that noble lord, which son is also our minister plenipotentiary at the American States, having, as it was declared in the Congress, just transferred large sums in stock, belonging to his father. This was noticed, and very well worthy of notice it was; it being only necessary to add here, for the information of some persons, that Baron Erskine of Clackmannan is no other than the identical Mr. Thomas Erskine, who was so famed for his patriotism, during the opposition of Mr. Fox; who, in February, 1806, became Lord High Chancellor of England, with an income, from the public, of about 10,000 pounds a year, and who, upon being put out of that office, in April, 1807, had a pension settled on him for life, of 4,000

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pounds a year, payable out of the taxes raised upon the people of this kingdom.—Having put these facts safely upon record, let us now turn our eyes towards the West, and see a little what the Congress has been doing.—On the 17th of November, we find a committee of the House of Representatives making a report upon the affair of the Chesapeake, which report will, as an "Official Document," be inserted either in this sheet, or the next. The report concludes with recommending a resolution, condemning the conduct of the English commander, as a flagrant violation of the sovereignty of the American States; and adds, that the continuation of the British squadron in the waters of the States, after the issuing of the President's Proclamation, was a further violation of that sovereignty. In the body of the report, the committee observe, that *three* of the seamen, taken out of the Chesapeake, were, as they *might* say, proved to be American citizens. They also observe, that the act of taking them by force was without a parallel in the history of civilized nations; that, if disavowed by the English government, it must be considered, as "a detestable act of piracy;" and, if not disavowed, as a "premeditated act of hostility against the sovereignty and independence of the American States." This is a pretty alternative. If our government do not choose to acknowledge itself guilty of a flagrant act of violation of good faith, our gallant officers, concerned in the affair in question, are to be considered as pirates; that is to say, as felons; that is to say, as men worthy of the gibbet. The Morning Chronicle and its faction would hardly wish us to go to this depth in the way of self-debasement.—Previous to the making of this report in the Congress, there had been a report made, by a Court of Inquiry, upon the conduct of Commodore Barron, the

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commander of the Chesapeake; and, here, let us just note the intolerable vanity of these people, in dubbing a man, having only a single frigate under his command, "commodore," and authorizing him to hoist his "broad pendant." This court of inquiry report, that Captain (I mean "Commodore") Barron neglected to prepare his ship for battle in due time; that he used discouraging language to his men, when attacked by the Leopard; and, that, in short, it was entirely owing to his faulty conduct, that the ship was not defended, and that the men were taken out. The whole of the report of this court of inquiry appears to have been drawn up for the express purpose of causing the world to believe, that, if the Chesapeake had been in as good a state for fighting as the Leopard was, the former would have made a gallant resistance. It was no trial of poor Barron; the real object of it has nothing to do with him; it is intended as an apology for an American ship, the "Commodore of the American Navy," being so shamefully beaten; and, to any one who knows the parties, as I do, it must be good diversion to hear the pompous statement of "Capt. Alexander Murry, and Isaac Hull and Isaac Chauncey," while, to those who do not know them, it may be necessary to say, that, in forming an idea of them, they must totally divest their minds of all the notions, which they have been accustomed to entertain of the character of captains of our navy. But, it is remarkable, that Barron "declined to make any defence." Why? That is not said, the circumstance being introduced merely by a parenthesis; and yet the court sat a whole month, and that, too, on board the Chesapeake frigate. I dare say, every deep lawyer in the country had, more or less, a hand in the drawing up of this curious report. It is called a "surrender of the Chesapeake." As if no attempt had been made at a defence. The commodore seems to have been as little anxious to defend himself as to defend his ship. His defence of himself might have been inconvenient; it might have marred the symmetry of the court's report; it might have brought out facts to render the apology more lame than it now is; and, therefore, in return for his civil forbearance, the court state, that he shewed "no want of personal bravery." This was very just; for one act of kindness should always meet with another. In spite, however, of the infinite pains taken by the Americans to disguise the truth, I believe it to be what their own news-papers stated at the time; to wit; that, as the "commodore"

had long previous notice of the intention of the English Captain, "his ship was perfectly prepared, before she left the port; and that her guns were ready loaded with double headed shot." This was the account which they themselves then gave of the state of their own ship; but, they perceived, that, in persisting in it, they were depriving their "navy" of all the apology for the disgrace it had suffered. It is this disgrace and the lurking fear that they shall not be able to wipe it off; it is the disgrace of being so shamefully beaten; it is the having given the world a proof of their incapacity to contend, for a moment, against an equal British force; it is this that mortifies; it is this that stings them to the quick; it is this that draws from their Congressmen the appellation of "pirates." Pirates, indeed! How was Captain Humphreys to know, or to suppose, that Captain Barron was not prepared for battle? A ship of war, upon the high seas, ought always to be so prepared, and especially when duly forewarned, as the Chesapeake was. Besides, will any one believe, that the warning was known to nobody but poor Commodore Barron? And, if it was known, who would believe, that he did not receive, both from the government and populace, orders how to act? The Mayor and citizens of Norfolk must have heard of the warning as well as he, because the threat of the captain of the Melampus was published in the American news-papers before he sailed, even some weeks before, and yet, neither his officers on board, nor the government, nor the Mayor of Norfolk, take any step to cause him to prepare his ship, and he himself quite forgets to do it! Aye, Gentlemen, in Congress and in court of inquiry, you may report upon the matter as long as you please, all this is too wonderful to obtain belief. You suspect it is so, and therefore it is that you are enraged. If a war should now come and cut you up, as it assuredly will do if it come, your ruin will be ascribable solely to your vanity. Puffed up by your former success against the foolish efforts of England, by your success in trade, and by the praise bestowed upon you by writers in Europe ignorant of your character, you must needs have ships of war, and must call them "a navy." You must needs have a navy, and talk of "sovereignty upon your waters." To see your aspiring hopes dashed in a moment was too much for you to bear. But it is better for you to bear than worse. Indeed this rebuff, if you are not quite incurable, may do you much good. To the vain there is nothing so useful as a good serious, signal defeat. But, if you should

be foolish enough to persevere, I venture to insure you a complete overthrow, humiliation as bitter as ever yet touched the lip of mortals. You are, it appears to me, very much in error with respect to the temper, in which your abusive threats find the people of England. Your commercial friends, including the fund-holders, have not that power here now, which you suppose them to have. We understand the nature of our commercial connection with you tolerably well; and, I do assure you, that nine hundred and ninety nine men out of every thousand care but very little about the continuance of any part of that connection; over which your government has, or can have, any controul. We now are acquainted with all your former conduct, especially that relating to the pecuniary provisions of the treaty of 1794; and we feel, that we are now labouring hard and suffering distress in order to pay you the millions, which you ought to have paid to our fellow subjects, your creditors. We now clearly see, that this is only one amongst the immense sacrifices, which we have made to a regular commercial connection with you; and, therefore, that connection we are by no means anxious to preserve. We know that your general government revenue is *all* collected at the custom-house, and we know that our custom-house revenue does not form a tenth part of what we raise; and we know, that the coal-duty, raised in the metropolis alone, amounts to one seventh part of our custom-house revenue. We can make comparisons, you see, between ourselves and you; and the result is not likely to scare us much when viewed in conjunction with your hostility, though you may have fifty instead of three, ships like the Chesapeake. But, I will tell you more about this another time.—Let us now return to the report of the Congress committee.—It is said here, that *three* of the men, taken out of the Chesapeake, were American citizens. No; it is not positively said, that they were; it is said, that the committee *might* say that they were. Doubtless they might, for the President, in his proclamation, solemnly asserted, that all *four* were American citizens. Do the committee admit, that one of them was not an American citizen? I think, it is clear that they do admit this; and, then, it follows, that either the committee has admitted, or the President has asserted, a falsehood. Which are we to believe, the committee, or the President? This is a nice point indeed. For my part, I believe neither; for I am thoroughly persuaded, that all four of the

men were English subjects, and had deserted from English ships. That they might have been in America and obtained what are called "certificates of citizenship" I will not take upon me to say was not the case; but, what had this to do with our claim upon them? this the Congress will find answered in the King's proclamation (page 669 of the preceding volume); and they will there find, that we are not disposed to acquiesce in their new law of nations, according to which all those who choose to get one of their dirty bits of paper are to be absolved from the allegiance due to their native country. The committee, however, apparently foreseeing, that their report would be exposed to remarks such as have here been made, fly off from their statement about citizenship, and say, that it is no matter who or what the men were: we attacked one of their ships of war, and that is enough. Satisfaction is "demanded" for this, the English officer is to be considered as a "pirate", and so to be treated, of course, or or what? why, they will fortify their ports and harbours! Fortify landing places of, at least, seven hundred miles in length. This is a desperate resolution to be sure; but, it is not nearly so desperate as that of going without coats and shirts and rum. The Congress may pass laws to this effect, but the people will treat those laws as Swift recommends the people of Ireland to treat the votes of the "Legion Club."—We come, then, to the question of right, respecting the search of ships of war, a question which we have discussed before. The ministers have not, in words, given up this right. They have conceded too far, and their concession has produced the present disputes, or, at least, the continuation of; but, though they have abandoned the high and strong ground, they assert it to be the duty of our naval officers to demand our sailors even from on board neutral ships of war, leaving a refusal as a matter to be settled by the king. And, observe, that this case of the Chesapeake is quite peculiar. Our officers knew that their men were in her; they had been inveigled away under their own eyes; they had been led about to parade the streets of Norfolk in defiance of them; they had been refused to their respectful applications; and there seemed no way left but that of seizing them by force, in order to prevent a total desertion from every ship, which, under the sanction of the treaty of 1794, entered the ports of the American States. All these circumstances, which form a subject of just complaint on our part, the wise and impartial committee

think proper entirely to overlook, or, at least, to pass over in silence. But, we do not overlook them here. We attend to them; we see in them an act of hostility, which would have required immediate satisfaction, if our naval officers had not, with their accustomed patriotism and promptitude, taken satisfaction in the proper way; and the Congress may be assured, that we shall not hang Captain Humphreys as a "pirate."—But, "the act was unparalleled in the history of civilized nations," whence, it may be presumed, that they and the French do not put in their claim to that character; for both have seized, by force, according to accounts published in their own newspapers, deserted seamen on board of neutral ships of war, or upon neutral territory. Capt. Decatur of the American ship of war, the *Enterprize*, seized by force an American seaman on board a French privateer, lying at Syracuse, which privateer bore the commission of the Emperor of France. And, it appears, that several seamen having deserted from the *French frigate Cybele*, at Norfolk, and entered into the service of the United States at the rendezvous, the French Captain sent an armed force to the rendezvous, demanded the deserters, and had them surrendered to him. "Aye," the Congress will say, "but this was all amongst friends." Very true; but you will hardly blame us much, if we like you none the better for being the friends of our enemies. If our officers had sent an armed force for their deserters at Norfolk, the very same place whither the French officer sent an armed force for his deserters, the militia would have been called out, a mob would have been raised, and every soul sent upon the errand would have been murdered, under pretence that they had invaded the country with a view to conquer it and "destroy its independence." Partiality like this does not become a neutral power; it is in itself, unjust and base; and the injured nation, which does not resent it, ought to be treated as we certainly should have been, if we had, as the Congress seems to wish, treated our public-spirited and gallant officers as "pirates," though, from the language of the *Morning Chronicle*, it would not be very unnatural in them to expect it. That print, of the 29th of December, says, that the Committee of Congress have given to the act of Captain Humphreys "its proper appellation;" that is to say, "piracy." Was I wrong, then, in accusing this print of being on the side of the enemies of England? It is constantly the advocate of the Americans. Its columns are filled with attempts to

justify them, in all their acts of foul play towards us.—But, we shall see more of this, by and by, when we come to speak of its defence of the President's speech, and its insinuations with regard to the lately-issued Orders of Council.—The next proceeding, which is worthy of particular notice, is a bill, said to have been brought into the Congress and read once or twice, on the 24th of November. The following, as stated in the newspapers, are the out-lines of this bill: "It authorises the President to permit or interdict, at his discretion, the entrance of our harbours to all armed vessels belonging to a foreign power, and by force to repel and move them from the same, except in certain specified cases, in which cases the said vessels are to conform to rules prescribed by the executive.—It further, in consequence of the late conduct of the British, prohibits the entrance of any British armed vessel into the harbours or waters of the United States, except when driven in by stress of weather, or when charged with dispatches: provided that whenever reparation shall be made, to the satisfaction of the President, for the outrages committed upon the national sovereignty, it shall be lawful for the President to remove the interdiction.—On such vessel refusing to depart, she shall be deemed to have made a hostile invasion of the territory of the United States, and shall be proceeded against as an enemy, and may be seized, and brought in and forfeited, and shall accrue wholly to the captors.—All pacific intercourse with such vessel is forbidden.—The President is authorised to use the land forces and militia to seize such vessel.—He is also empowered to refuse admission to any vessel belonging to the subjects of the nation whose armed vessel shall so remain in the harbours of the United States.—It empowers any person or persons to burn, sink, or destroy any such vessel, for which a bounty of ——— dollars is offered on each gun of said vessel.—It authorises the President, to carry this act into effect, to fit out all the armed vessels of the United States."—This bill is nothing more than a sanction given to the President's Proclamation. It is greatly injurious to us to have our ships of war shut out of the roads and havens of the American States; because, upon their cruizes, it is necessary that they should sometimes put in to refit, and, still oftener to obtain water and fresh provisions. Out of their harbours they may be able to keep our ships, unless a considerable force were

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sent to treat them with a few bombs and rockets; but, out of their roads they cannot keep them; and, as to driving them out of their "waters," as they term it, where have they the means of doing, or attempting, any such thing? All their "armed vessels" put together would not be able to make head against one fifty gun ship of England. The consequence of this law, therefore, will be to prevent our ships from going into their ports; but, it will not prevent them from obtaining provisions, an abundance of which the people will carry to them, or sell to their boats along shore, in spite of a thousand such laws passed by the Congress. One of the members complains, that our officers read their proclamations and laugh at them. Well they may; for, it is strange to me, if there be in this world any thing more ridiculous. The act is, however, malignant; it fully discovers the hostile mind; and it is an act of hostility, according to all the rules relating to the conduct of neutrals, which rules require a strict impartiality towards all the powers at war. This act of Congress openly avows a partiality. England is refused what is granted to France. A reward is offered for burning, sinking and destroying English vessels of war if found in the same situation which French vessels of war are to be permitted to enjoy. As far as the Congress are able to go they have made war upon us; they have joined our enemy; and, as to the provision, that this war shall cease, when "satisfaction" shall have been made agreeably to their wish, this is the case with all wars; for, they all cease, when the parties making them have obtained what they deem satisfaction. Observe, too, that this act has been passed in mere continuation of the President's Proclamation, which was issued immediately after the searching of the Chesapeake, and, of course, before any demand of satisfaction could have reached England. This alone was quite enough to justify the king in refusing any satisfaction at all. The Americans had taken the satisfaction; to give them satisfaction under such circumstances would have been base in the extreme, even supposing it to have been, upon the original grounds, due to them. The fact is, that, with all their hypocritical cant about the blood of their citizens flowing in the Chesapeake, they were glad of the event; and eagerly seized hold of it as a ground whereon to urge demands, which we had heretofore rejected, and in which they hoped now to succeed by coupling them with this recent case. Nay, I am persuaded, that it will soon appear, that this "satisfaction," of the want of which they so bit-

terly complain, they might, to a reasonable degree, have received from our ministers; but, that their envoy here was instructed not to enter upon any negotiation upon that point, unless it was connected with other points, having, in fact, nothing to do with it, and being of a nature not to be treated upon by us.—Of all this the people in America seem to be aware; and, we find the Inhabitants and Traders of Philadelphia, in a Memorial presented to the Congress against the "non-importation act" (which was to go into force on the 15th of December), complaining, that the President had made, upon England, unreasonable demands, and that he had shut the door against reconciliation by accompanying his demand of satisfaction with a proclamation of a nature decidedly hostile. And now, for this famous non-importation act; but, let us first, take a look at the debate upon the memorial against it. This debate is curious, in many respects. The reader will bear in mind, that this act was passed nearly, if not quite, two years ago; that it has been suspended from time to time; and, that the last suspension extended to the middle of December, 1807. It was, therefore, he will observe, upon other ground than that of the affair of the Chesapeake that the act was passed. To prevent it from going into effect in December it was that the memorial in question was presented; and upon this memorial the following debate took place, in the House of Representatives, on the 27th of November.—
 "Mr. J. CLAY presented a Memorial from
 "sundry inhabitants and traders of the City
 "of Philadelphia, praying, that the Act
 "prohibiting the importation of certain
 "goods, wares, and merchandize, passed
 "the 18th of April, 1806, may be repealed.
 "—Mr. CLAY moved that the Memorial
 "be referred to the Committee of Com-
 "merce and Manufactures.—Mr. Row-
 "AN hoped the petition would not be refer-
 "red to any committee. He thought it
 "would be beneath the dignity of the
 "House to give it any consideration. Had
 "he been in Congress at the time the law
 "passed, he would have voted against it;
 "but as it had passed, and as we had re-
 "ceived a fresh insult from Great Britain
 "in the attack on the Chesapeake, he would
 "not vote for its repeal.—Mr. J. CLAY
 "said, that as the petition was couched in
 "decent language, and involved a question
 "of great national importance, it could not
 "be inconsistent either with the dignity or
 "the justice of the House to refer it to the
 "committee of commerce and manufac-
 "tures. As to the non-importation law,

“ whoever would examine it would find,
 “ that many of its provisions were very de-
 “ ficient, and in some cases totally nugatory.
 “ He pointed out some of its defects, and
 “ observed, that it contained so many ab-
 “ surdities, that he doubted whether it could
 “ ever go into operation.—Mr. CROWN-
 “ INSHIELD said, that as to the non-import-
 “ ation law, it might be obscure in some
 “ parts, but there were more than a dozen
 “ articles, on which there could be no doubt
 “ at all. Under what circumstances had
 “ that law passed? We had been making
 “ demands on Great Britain for many years,
 “ which she had refused to satisfy; and
 “ this law had been passed to induce her to
 “ do us justice. Since that period she had
 “ committed the outrage on the Chesa-
 “ peake. The blood of American citizens
 “ had freely flowed in that vessel.—Great
 “ Britain had known this for some months,
 “ and yet we had obtained no redress. He
 “ knew indeed that the law in question was
 “ suspended but for a short time at present;
 “ but from the rumours which were afloat
 “ and from what he knew of the disposition
 “ of Great Britain, he entertained no hope
 “ that she would do us justice. He thought
 “ that we were sleeping at our posts. We
 “ knew that Great Britain was making ac-
 “ tive preparations; that she was endea-
 “ vouring to decoy the Indians on our fron-
 “ tiers; that she was arming her militia in
 “ Canada and Nova Scotia; and that she
 “ had, besides, an immense navy. The
 “ late attack on Copenhagen had convinced
 “ us that she paid no regard to justice or the
 “ law of nations. She had in that instance
 “ violated every principle of humanity.
 “ Could we expect better treatment than
 “ Denmark, a nation that had never in-
 “ jured her? Might not our cities
 “ be wrapt in flames as well as Co-
 “ penhagen? The petitioners state that
 “ they are alarmed at the demands of our
 “ government: what were those demands?
 “ Did they know them? He knew not,
 “ although a member of that House;
 “ and yet the petitioners are “alarmed” at
 “ them. Mr. C. then moved that the pe-
 “ tition lie on the table.—Mr. MILNER
 “ could not see any impropriety in referring
 “ the petition. He was acquainted with
 “ the characters who had signed it, and he
 “ knew them to be men of the highest
 “ respectability, men who would not light-
 “ ly commit themselves. As to the Non-
 “ Importation Law, he had always regarded
 “ it as a weak and futile measure, calculated
 “ to produce no other effect than to irritate
 “ Great Britain. He would rather have

“ seen a law to prohibit all intercourse at
 “ once. He agreed with the Gentleman
 “ last up, that we were sleeping at our
 “ posts; that our affairs with Great Britain
 “ were in such a situation as to render it
 “ extremely doubtful whether they would
 “ be amicably settled; and that under these
 “ circumstances we ought not to be idle.
 “ —Mr. ALSTON moved, that the Petition
 “ be referred to a Committee of the whole
 “ House.—Mr. SMILIE thought that re-
 “ ferring this Petition to the Committee of
 “ the whole would be giving it too much
 “ importance. That there was a party in
 “ this country strongly prejudiced in favour
 “ of the British Government, he never
 “ doubted for a moment, and that this was
 “ a measure of that party, he was equally
 “ certain.—Mr. BASSET hoped the Peti-
 “ tion would be referred to a Committee of
 “ the whole on the state of the Union;
 “ not out of respect for the Petition, but
 “ out of respect for the nation. This would
 “ afford the House an opportunity of ex-
 “ pressing their sentiments on the present
 “ interesting state of affairs. The House
 “ had been sitting some time, and not one
 “ word had been uttered on the subject;
 “ he wished this silence to be broken.—
 “ Mr. CHANDLER knew not who these Pe-
 “ titioners were: he did not know but that
 “ they were British subjects residing among
 “ us: if he were certain that such was the
 “ fact, he would move to have the Petition
 “ thrown under the table, without taking
 “ any further notice of it; but as he was
 “ not certain of it, he was willing to let it
 “ lie on the table.—Mr. J. CLAY said,
 “ that with respect to the assertion of his
 “ colleague (Mr. Smilie), he would merely
 “ remark, that there was a man's name
 “ signed to that Petition, with whom he
 “ was immediately acquainted, who, he
 “ knew, did as much good for this country
 “ as his colleague, notwithstanding his si-
 “ tuation. The gentleman from Massa-
 “ chusetts (Mr. Crowninshield) had made
 “ a long harangue on the subject of the
 “ Non-Importation Law, and had said that
 “ it would not embarrass the merchants.
 “ But so extremely ridiculous was some of
 “ the provisions of that law, that it was
 “ doubtful whether a gold watch could be
 “ imported on account of the glass being
 “ prohibited. He said he felt extremely
 “ hurt at the observations of the gentleman
 “ from Pennsylvania (Mr. Smilie), when
 “ he knew that the signers of the Petition
 “ were native American citizens. But it
 “ seemed natural that a Member of Con-
 “ gress must speak on all subjects, whether

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" he understood them or not.—Mr. EL-
 " LIOT spoke in favour of referring the
 " Petition, and against the insinuation of a
 " British party. He said that he feared
 " there might soon be two watch words
 " established to vote down any measure
 " which might be disagreeable—and these
 " were " Confidence in the Executive,"
 " and " British Party."—Mr. NELSON
 " was opposed to referring the Petition to
 " any Committee. He thought the House
 " ought not hesitate a moment about
 " throwing under the table all applications
 " for a repeal of the law in question; par-
 " ticularly now, when we were, he feared,
 " on the eve of a war, and after the British
 " Government had boasted that we dared
 " not put it in force, as she would consider
 " it as a declaration of war.—Mr. RHEA
 " spoke against referring the Petition. He
 " observed, that when these Colonies pre-
 " sented Petitions to the British Parliament
 " for a redress of grievances, they were
 " thrown under the table. He thought
 " that would be the most proper course on
 " the present occasion.—Mr. FISK con-
 " tended, that the Petition was disrespectful
 " to the House, inasmuch as it conveyed
 " a distrust of the measures taken by Go-
 " vernment.—Several other Members
 " spoke on the subject, when Mr.
 " RANDOLPH observed, that attempts had
 " been made to denounce his friend from
 " Pennsylvania,—(Mr. J. Clay)—a man,
 " he said, whom he would not *disgrace* by
 " comparing, either in regard to talent or
 " patriotism, with any of his denunciators
 " [Mr. Crowninshield rose to explain; but
 " he was twice called to order by Mr. Ran-
 " dolph].—He said that it was the indubi-
 " table right of the Citizens of this Coun-
 " try to present their Petitions to this
 " House; and a refusal to refer those Pe-
 " titions was a refusal to consider them.
 " He never expected to hear the conduct of
 " the corrupt and hireling majority of Lord
 " North brought forward to justify a simi-
 " lar conduct in that House. We had exer-
 " cised the right of Petitioning the British
 " Parliament, and they had pursued the
 " very conduct which was now recommend-
 " ed here—our Petitions were treated with
 " derision and contempt. If the prayer of
 " the petitioners was improper, would it
 " not be better to expose their errors in a
 " masterly report from a Committee, than
 " to slam the door in their faces, and, af-
 " fecting all the airs of an Asiatic sovereign,
 " refuse to hear them? We were, he be-
 " lieved, on the eve of a War with Great
 " Britain; and we were treading in the

" very footsteps of the British Ministry on
 " the eve of the American War, and on
 " the eve of the French War. Even the
 " commanding genius of Mr. Fox, would
 " not be listened to in the House of Com-
 " mons—he was obliged to go out—and
 " what was the consequence?—He was
 " called by the unanimous voice of the na-
 " tion to correct those very mischiefs to
 " expose which he was refused a hearing
 " when he first raised his voice against
 " them. But it was said, that the language
 " of the petitioners was disrespectful:—
 " What do they say? That they do not
 " wish us to make any sacrifice of our na-
 " tional honour and independence. And
 " what is the great bulwark of our national
 " honour and independence? Why, a mi-
 " serable non importation law!—The
 " House, Mr. R. said, " had now been
 " in session five weeks; and, on the
 " eve of a war, they were discussing
 " whether we should import locks with
 " brass knobs or locks with iron knobs; they
 " were sitting there looking at one another,
 " reading newspapers, writing letters, re-
 " ceiving bank checks, and counting their
 " money; and the nation was precisely in
 " the same situation as it was when the
 " House first assembled. If we were to
 " have a war with Great Britain, as he
 " believed we were, it would become the
 " House at the outset to conciliate those by
 " whom that war was to be carried on: he
 " meant by " those," the great body of
 " the American people, and not the rich
 " merchant more than the landholders, but
 " not less. The House were beginning a
 " war on the same principles as Mr. Pitt did
 " his war with France,—by proscribing
 " every man who dared to question one
 " tittle of its motives. But he trusted if it
 " began in the same way, it would not
 " have a similar end.—Mr. CROWNIN-
 " SHIELD hoped the House would do him
 " the justice to believe that he did not wish
 " to derogate from the character of his
 " friend Mr. Clay, he had always enter-
 " tained the highest esteem for that Gentle-
 " man, and he always should. He had
 " stated that the language of the petition
 " was disrespectful, and he wished it to lie
 " on the table; but that was surely not
 " rejecting it. He had since, however,
 " discovered a sentiment in the Petition
 " which had escaped him before, and which
 " confirmed him in his opinion of it. The
 " petitioners say, " they hope the peace of
 " the country will not be endangered by an
 " adherence to doubtful or unsettled prin-
 " ciples." Was it an unsettled principle

“ that a national vessel could not be search-
 “ ed? He thought not. He always con-
 “ sidered a national vessel as national ter-
 “ ritory, and that it should be maintained
 “ inviolate. He had formerly been of
 “ opinion that it would be better to pass a
 “ total non-importation law; but for the
 “ sake of conciliating Great Britain, he had
 “ voted for a partial non-importation.—
 “ Mr. RANDOLPH said, that the Gentleman
 “ from Mas. (Mr. C.) had grossly misun-
 “ derstood him. He did not allude to that
 “ Gentleman as denouncing his friend from
 “ Pennsylvania (Mr. J. Clay); the denun-
 “ ciations had been heard by the House, at
 “ least they had been by him (see above).
 “ But he had said that the Gentleman had
 “ endeavoured to make this a party ques-
 “ tion; he still thought so, and his calling
 “ for the Yeas and Nays proved it. He
 “ would call the attention of the House to a
 “ period when men of different political
 “ sentiments held the reins of Government;
 “ petition after petition had been presented
 “ against the Sedition Law, and yet they
 “ had always been received and heard;
 “ although, he said, it was almost impossi-
 “ ble to couch such petitions in respectful
 “ language. He contended that the mer-
 “ chants did not allude to the rights of the
 “ words which the Gentleman (Mr. C.) had
 “ quoted; but they said that doubts were
 “ entertained that other subjects had been
 “ connected with that. And had they not
 “ a right to doubt? He thought if the Gen-
 “ tleman (Mr. C.) would exchange a few
 “ of his certainties for some of their doubts,
 “ he would not be a worse man or a less
 “ efficient politician. He believed it to be
 “ a novel thing in legislation, that because
 “ the House differed in opinion from a pe-
 “ titioner, the petition should be rejected.
 “ —The question was then taken for re-
 “ ferring the petition to a Committee of the
 “ whole House and it was lost. Ayes 50
 “ —Nays 80.”—Mr. Clay’s description
 “ of the talkative propensity of his brethren,
 “ and Mr. Randolph’s of their amusements
 “ and employments, while in the House, are
 “ strikingly characteristick. They all talk;
 “ and talk for a long while too. The old vul-
 “ gar hyperbole of “ talking a horse’s hind
 “ leg off,” if ever it be verified, will find its
 “ verification in the American Congress. Our
 “ people, at St. Stephen’s, write letters too;
 “ but I never saw any of them actually count-
 “ ing their money in the House; though it is
 “ pretty generally believed, that they know
 “ how to count, whether money or noses, as
 “ well as most people. But, the American
 “ Law-givers have a desk, with pen, ink,

and paper, before each of them, and each
 keeps the key of his own desk. At those
 desks merchants read their invoices and
 lawyers their cases and briefs, while the
 trade of law-giving is, at the same time,
 going prosperously on.—The only part
 of this debate that appears to have attracted
 the attention of our news-writers, is, Mr.
 Randolph’s expressions, so often repeated,
 about being “ upon the eve of a war;” and,
 from which expressions, these writers con-
 clude, that a majority of the Congress are
 for war. A most erroneous conclusion in-
 deed; for, the point decided upon, suppos-
 ing it to include the final fate of the non-
 importation act, was merely whether that
 measure should be tried, as a means of in-
 ducing England to submit to their terms.
 —We have before discussed the effects of
 a non-importation act upon us, and it has,
 I think, in the articles referred to above,
 been clearly proved, that such an act could
 not possibly do us any harm, supposing it
 to be practicable. I have, however, insist-
 ed, that it is impracticable; and the Phila-
 delphia memorialists seem to be of my opin-
 ion. But, what is this act? What does
 this mighty threat amount to? What is
 this thing, which is to awe England into
 submission? A non-importation act. An
 act to prohibit the importation of all English
 goods? No: not an act to prohibit the
 importation of English cloth, Irish linen,
 or English hardware; not an act to prohibit
 the importation of coats, waistcoats,
 breeches, shirts, cravats, stockings, caps,
 handkerchiefs, petticoats, blankets, sheets,
 swaddling cloths and shrowds; not an act
 to prohibit the importation of knives,
 forks, scissors, razors, buttons, locks, keys,
 and candlesticks; all these things must
 be had from us, or from no country upon
 earth. Therefore, the Congress, in its
 wisdom, has thought it adviseable not
 to include them (making, in amount,
 four-fifths of all the goods imported) in the
 articles prohibited. Well done, “ King
 Cong,” under which appellation your feats
 have heretofore been so admirably celebrated.
 And does your Majesty really imagine, that
 we are to be frightened by an act like this?
 The truth is, an’ it please you to hear it,
 your Majesty thought, that, here in Eng-
 land, there was an American faction, con-
 sisting of merchants, manufacturers, fund-
 holders, and admirers of American liberty,
 able to force the government to give way;
 to force it to yield any point of great and
 permanent national interest, rather than run
 the risk of producing an interruption of the
 traffic of the said merchants, manufacturers,

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and fund-holders. This was what, even in your cooler moments, you thought, "King Cong," and in this thought you will, I am pretty confident, find that you were wrong.

—But, besides the weight of this opinion, which would have applied to the case, in all times, and under all circumstances, you might think, (gentle and inoffensive Americans!) as Judge Rutledge, of South Carolina, thought, in 1794; that is to say, "that the victorious arms of France had laid England prostrate; that she was struggling under the pangs of death, and that you had nothing to do but to seize her by the throat;" a sentiment truly worthy of an American judge. Now, then, you will, doubtless, think her just expiring, and that you have only to come and perform the part of an animal, that shall be nameless, towards the old lion dying in the cave. But, she is not yet expiring. She is even greater than she was before Napoleon conquered the continent of Europe; and, as to all those "maritime powers of Europe," of whom you talk, and on whose co-operation you rely, they seem actually to have disappeared from the face of the earth.

—It may be deemed singularly unfortunate for the Americans, that they did not hear of the Danish Expedition at an earlier period; for, the intelligence seems to have had a most powerful, and, I would fain hope, salutary, effect upon their minds. The reader will remember, that I said, at the time, that the attack upon Copenhagen, and the capture of the Danish navy, would have a good effect in America; and, I am well convinced, that if the intelligence had arrived early enough, we should have heard very different language in the report of the committee upon the affair of the Chesapeake; I am persuaded, we should not have heard our excellent officers denominated "pirates," and that the word "satisfaction" would not have been accompanied with the word "demand."

—In the Senate (that is to say, the upper house of Congress), on the 26th of November, "Mr. MITCHELL rose to call the attention of the Senate to a motion he had made at the commencement of the session, relative to additional means of defence, and further measures of security to the seaports and harbours of the nation. This important subject had been introduced by him at an early day. It had been printed and laid upon the table for consideration, and it was his original intention to have suffered it to lie there until the official intelligence alluded to in the Message of the President should arrive from Great Britain.—

Recent and alarming information which had reached the seat of government since the rising of the Senate on Friday last, though tinctured with rumour, and resting on the credibility of private communication, had however altered his mind on the business. The invasion of Zealand, the capitulation of Copenhagen, and capture of the Danish fleet, were events of the utmost moment to the neutral powers, and taught them that the greatest moderation, prudence, and forbearance, were of no avail in guarding a mild, an unoffending, and peaceable people against the violence of its rapacious and stronger neighbour. A visitation of a similar nature might, in the course of things, be expected from the same quarter, and the fairest of our commercial cities might be wrapt in flames or battered to ruins.—Year after year had rolled away in fruitless negotiation. He doubted whether, in the present posture of affairs, there would be a satisfactory adjustment of the points in dispute. It did not follow, that the failure to effect a treaty would necessarily bring on a war. But the dominion of the ocean was so proudly usurped by Britain, and the usurpation maintained by such a prodigious naval force, that it would be calculating extravagantly upon our good fortune to expect that our rights would not be invaded by them; and in an age of the world, when it was fashionable for ruling statesmen to sweep away, like cobwebs, abstract principles of right, and written maxims of public law, it was surely a season when the weaker powers ought to employ every precaution for their safety.

—It was not his intention to recommend the construction of a navy, carrying metal enough to dispute the empire of the high seas. His only object was to provide a force sufficient to protect our acknowledged territory, and to preserve peace within our seaports and harbours."

—And not a word about "pirates." Not a word about seizing "prostrate and expiring England by the throat." Not a word about that "little Britain," which, by way of sneer at our title (a silly title, I confess), was the name they sometimes used to give to our country. This same "nation of pirates;" this same "expiring England;" this same "little Britain," is now, behold! the "stronger neighbour," has a "prodigious naval force," and is able, by stretching her mighty arm across the Atlantic, to wrap their cities in flames, or batter them in ruins; while the American States, though boasting of

a population equal to that of England, Wales and Scotland united, is a "weaker power," that ought to think about her safety. Surprising change of sentiment and language! and that produced, too, observe, without even hearing the firing of the cannon or the explosion of the shells.—All is now gentle; and Mr. Mitchell chooses to consider America as the abode of "a mild, an unoffending, and peaceable people." Neither of these have they been towards us. During the last war, as I have shown, (Vol. 12. p. 961) they were guilty of every species of violence and injustice with respect to us; I have shewn, in the same article, how they fulfilled the treaty of 1794; and, no sooner did a favourable opportunity offer during this war, than they renewed the hostile demands, which had been refused them before. A "mild" people, indeed! Read their abusive publications: hear the language of their President and their Congress: read the toasts of their "citizens" in France and Russia; and, then, let the Morning Chronicle and its discomfited faction call them a "mild" people as long as they please.—What are these "points in dispute," about which "year after year have rolled away in fruitless negotiation?" What is it that this "mild, unoffending, and peaceable people" have been demanding of us? First: that we should suffer them to inveigle away our seamen, and to keep them, in spite of us, on board their merchant ships as well as ships of war. Second: that, when once the said seamen, or any other subjects of the king, have received from them a certificate of American citizenship, we shall acknowledge them as Americans, and even if we catch them fighting against their native country, shall treat them merely as prisoners of war. Third: that we shall allow them to shew, both in word and in deed, as much partiality towards our enemy as they please, and still observe towards them all the forbearance due to a nation impartially neutral. This is the substance of their principal demands. There are other "points in dispute;" but, these are the chief points, and our fault has been, that we have ever suffered them to become matters of dispute. The minister who should admit either of them as a fit subject for "negociation" would deserve to be hanged. My mind can conceive no mark of infamy due to his conduct. And, yet this is what the "mild, unoffending, peaceable" Americans demand of us. Our present ministers have, though not in a good manner, given them that answer, which the late ministers had not the sense, or the courage, to give

them. No negociators need now come to us from the grand "Amphyctionic Council," or from the "Capitol" of America. They have their answer in the king's proclamation and in his late orders of council; and they are in complete possession of every thing necessary to the forming of their judgment and their resolution with respect to the question of peace, or of war.—Mr. MITCHELL, too, must talk of England's "usurped dominion of the sea;" but says not a word about the usurpation of America upon what she is pleased to call "her waters." What gives her a right of sovereignty there? Her power. That is to be tried; but, if power give her right upon those waters, why should it not give us a similar right were we have power? England's right of maritime dominion is as ancient as the name of England; and, are we now to be called usurpers of the seas, or of any thing, by Napoleon and the American Congress? The Americans plainly see, because they must plainly see, that the present exercise of our maritime power is absolutely necessary to our existence as an independent nation; but, they do not see, perhaps, that that existence is at all necessary. And, yet, there are men amongst us (though now very few in number) who abet their cause, who endeavour to apologize for, and even to justify, their malignant insolence.—It is quite good to hear this Mr. Mitchell, who exclaims so strongly against the "usurped dominion" of England, express his readiness to grant whatever sums may be necessary to keep the Indian nations in subjection. He names several of these nations, and adds: "whatever is necessary for teaching the Indians to dread our displeasure, shall receive from me all the countenance I can give." Now if we were to talk in this style of the Americans what would they say? And yet, would it be so unjust as it is in them to treat thus the poor wretches, whom they have already driven nearly out of existence? This is "usurpation" in reality. They have driven off the people, and taken their territory. They hunt the owners of the soil as they hunt the wild beasts upon that same soil. And yet this gentleman talks quite glibly against those who "sweep away, like cobwebs, abstract principles of right." We have dispossessed nobody upon the sea. We have killed nobody to get the dominion of it. The dominion is necessary to our existence as a great independent nation; and we exercise it with as little of exclusion and of rigour as the circumstances of the times will admit.—Mr. MITCHELL, after making a circuit of the immense territory, called the United States,

and talking moved for This is t they gene is to say in which spent; an sent will money to "vessels that "th nish the a cent (a upon our believes, imported people w compreh the merc dare say that this would b non-imp sort of to waste with th leave to some v for a re the Cor to inter taxes w if I m whiske years b its proo which taxes c cessary had b posts almost the s "Am men with s paid, disban gained this w with Engla line l mean the know deal and r ica, the v

and talking about fortifying and defending, moved for "a committee" upon the subject. This is the way they go on: the exclusion they generally come to is, to enquire; that is to say, not to conclude. This is the way, in which all their stormy sessions have been spent; and this is the way in which the present will be spent.—But, whence is the money to come for "fortifications and armed vessels?" Why, Mr. MITCHELL says, that "the Treasury is in a condition to furnish the necessary sums without imposing a cent (a hundredth part of a dollar) of tax upon ourselves." So this poor man, too, believes, in good earnest, that the tax upon imported cloth and rum is not paid by the people who consume them, but, in some incomprehensible way, by the manufacturer, the merchant, the ship, or the sea. And, I dare say, now, that he, good man, believes, that this additional tax upon goods imported would be wonderfully productive under a non-importation act. Not to push this sort of arguing any further, however; not to waste my little remaining room in trifling with the patience of the reader, I beg leave to state to him, that, in 1798, when some very trifling preparations were made for a resistance of the aggressions of France, the Congress was compelled to have recourse to internal taxes, and that, amongst others, taxes were imposed upon houses, land, and, if I mistake not, negroes. The tax upon whiskey, which had been imposed some years before, cost more than the whole of its produce in the quelling of an insurrection which the tax excited; and, before the taxes of 1798 could be repealed, it was necessary to disband the handful of men that had been raised, to evacuate the few little posts that had been garrisoned, and to sell almost the whole of the naval stores and even the ships, belonging to the far-famed "American Navy." This was, by most men in America, thought bad policy; but, with such grudging were the internal taxes paid, that Mr. Jefferson, by promising to disband, dismantle, and to abolish the taxes, gained his election against Mr. Adams. If this was the case with respect to a rupture with France, who was then at war with England, and who had scarcely a ship of the line left, what must be the expence of the means necessary to defend America against the navy of England?—With a little knowledge of fortification, and with a good deal of knowledge as to the local situation and means of the principal sea-ports of America, I give it as my decided opinion, that the whole revenue of that country, suppo-

sing its commerce to continue uninterrupted; and supposing the interest upon the national debt to cease to be paid; would not, in ten years time, put the principal towns upon the sea coast in a state of security against an English squadron, well prepared for a bombardment. We have a thousand officers, any one of whom would run his ship by the batteries of New York, and knock down the town about the ears of the "invaders of Jamaica." But, if we are to have war, we shall not need a war of this sort, and I should be very sorry to see such a war. All that we shall want, is, a good supply of frigates and sloops, orders of council and proclamations. Two frigates and four sloops of war stationed at five different places, with the addition of a line of battle ship at Marblehead, at Sandy Hook, at Hampton Roads, and at the mouth of the Mississippi, with an offer of free passage to the ships of every State that would disavow obedience to the edicts of the Congress, would settle the matter in eight or nine months, to the heart's content of all the parties concerned. The Americans know, that they cannot carry on a war against us. Their tone, you see, is already changed from "invasion of Jamaica" and Nova Scotia," to the defence of their own towns. The news from Copenhagen has taught them to think seriously; and, we shall soon hear, that, from making "demands" upon us, they will come to a complaint that we want to conquer and enslave them; which, not for us to do, they will be content, and will gladly go off with a boast, that they have, by their warlike preparations, frustrated the tyrannical designs, which we entertained against them. Well: with all my heart. I would not deprive them of this last refuge of their contemptible vanity. All that I want, is, to see them prevented from having ground whereon to boast of their having been suffered to assist in the degradation and ruin of England; and this, I trust, is what I shall see.

I did intend to have answered, in this sheet, my correspondent D, whose letter was published in my last.—I could have wished also to make some remarks upon the Morning Chronicle's defence of Mr. Jefferson's Speech, and upon its impudent observations with respect to the relative state of England and France, as dependent upon commerce, and as affected by the late orders of council. But, for want of room, these and other topics, amongst which are the affairs of Jamaica, must be postponed.

Botley, Jan. 7, 1808.

OFFICIAL PAPERS.

PORTUGUESE EMIGRATION.—*The following Letters were published in London, under the authority of Government, on the 19th of Dec. 1807.*

(Continued from p. 52.)

His Majesty's Ship Hibernia, 22 leagues West of the Tagus, Dec. 1, 1807.

Sir,—In another dispatch of this day's date, I have transmitted a list of the Portuguese fleet that came out of the Tagus on the 29th ult. which I received that day from the hands of the Admiral commanding it, when I went on board the Principe Reale, to pay my visit of respect and congratulation to H. R. H. the Prince of Brazil, who was embarked in that ship. I here inclose the list of those left behind. The absence of but one of the 4 ships is regretted by the Portuguese (the Vasco de Gama) she being under repair: her guns have been employed to arm the Freitea, 64, a new ship, and one of those which came out with the Prince. The other 3 are mere hulks; and there is also one ship on the stocks, the Principe Regente, but she is only in frame. The Prince said every thing that the most cordial feelings of gratitude towards, and confidence in, his Majesty and the British nation might be supposed to dictate.—I have by signal (for we have no other mode of communicating in this weather) directed Capt. Moore, in the Marlborough, with the London, Monarch, and Bedford, to stay by the body of the Portuguese fleet, and render it every assistance.—I keep in the Hibernia close to the Prince's ship. I cannot as yet send the Foudroyant, Plantagenet, and Conqueror, on to Admiral Purvis, according to their Lordships' order of the 14th, which, I trust, will be the less felt as an inconvenience off Cadiz, as they appear to have been ordered thither with reference to the Russians being within the Straits, before it was known they were on my station.—I have the honour to be, &c.—

W. SIDNEY SMITH.

List of the Portuguese Ships that remained in Lisbon.

S. Sebastian, of 64 guns; unserviceable without a thorough repair.—Maria Prima, of 74 guns; unserviceable; ordered to be made into a floating battery, but not yet fitted.—Vasco de Gama, of 74 guns; under repair, and nearly ready.—Princesa de Beira, of 64 guns; condemned; ordered to be fitted as a floating battery.—Frigates.—Fenix, of 48 guns; in need of thorough repair.—Amazona, of 44 guns; in need of ditto.—Perola, of 44 guns; in need of ditto.—Tritao, of 40 guns; past repair.—Veney, of 30 guns; past repair.—W. SIDNEY SMITH.

Hibernia, at Sea, lat. 37, 47. long. 11. 17. Dec. 6, 1807.

Sir,—I have the satisfaction to acquaint you, for the information of my Lords Commissioners of the Admiralty, that I succeeded in collecting the whole of the Portuguese fleet, except a brig, after the gale, and that the weather was such as to allow the necessary repairs and such distribution of supernumeraries and resources to be made, as to enable Vice Admiral Don Manuel d'Acunha Sottomayor to report to me yesterday all the ships capable of performing the voyage to Rio Janeiro, except one line of battle ship, which he requested might be conducted to an English port. I meant to escort her part of the way, but she did not quit the fleet with me last night as settled. I hope, however, she may arrive safe, as she is not in a bad state, being substituted for the Martino de Freitas, which was at first destined to go to England, in consequence of a fresh arrangement made yesterday on the latter being found in the best state for the voyage of the two. I have detached Captain Moore in the Marlborough, with the London, Monarch, and Bedford, to attend the Portuguese fleet to the Brazils. I have thought it my duty, in addition to the usual order, to take the above ships under his orders, to give Capt. Moore one to hoist a broad pendant after passing Madeira, in order to give him greater weight and consequence in the performance of the important and unusually delicate duties I have confided to him. I feel the most perfect reliance in that officer's judgment, ability, and zeal.—The Portuguese ships did not, after their repartition, want more provisions or slops from us than the list enclosed, which I supplied from this ship and the Conqueror.—This dispatch will be delivered by Capt. Yeo, of his Majesty's ship Confidence, who has shewn great address and zeal in opening the communications by flag of truce, which it was the interest of those in power, who were against the measure of emigration to obstruct. Lord Strangford speaks of his conduct in terms of warm approbation; on this ground I beg leave to recommend him to their Lordships, to whom his general merits as an officer are already well known. Having been in Lisbon without restraint during the intercourse, he is qualified to answer any questions their Lordships may wish to put to him.—I have the honour to be, &c.—

W. SIDNEY SMITH.

Memorandum.—The Diana merchant vessel, having on board about sixty British subjects, who had been detained in consequence of the embargo, came out of the Ta-

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gus in company with the Portuguese fleet, and it is supposed that she bore up for England at the commencement of the gale.

FRANCE AND AUSTRIA.—*Convention between them, made at Fontainebleau, Oct. 10, 1807—Ratified, Nov. 9, 1807.*

Art. I. The Thalweg of Lisonzo shall be the limit of the Kingdom of Italy, and the Austrian Provinces, situate on the left bank of its mouth, at the bottom of the Adriatic Gulph, unto opposite the village of Christinisa, near the Canal; from thence, by the straightest line that it is possible to draw the limit, shall rejoin the ancient frontier, near the village of Bistoff; so that the two territories of Christinisa and Bistoff shall remain to the Kingdom of Italy. It shall follow the ancient frontier to the summit of Mount Nataiame, and from thence a line passing from the East to the North of Sturazella, and along the top of the mountain beyond the villages of Creda, Patoco, and Boziana, in such manner, that these villages, and that of Sturazella, may belong to the Kingdom of Italy, shall be prolonged to the summit of Mount Stre, following the ancient frontier.—II. For this purpose the Emperor of the French, as King of Italy, cedes to the Emperor of Austria, all that he possesses on the left bank of the Lisonzo, in full property and sovereignty. The Emperor of Austria also cedes to the Emperor of the French, King of Italy, in full property and sovereignty, all that he possesses on the right bank of that river unto the point indicated in the preceding article, comprising all that is situate in same part, whatever it may be, in the Ex-Venetian States, to be united for ever to the Kingdom of Italy.—The Isle of Morosina, being situated on the right bank of the principal arm of the Lisonzo, shall remain to the Kingdom of Italy.—III. In the territories respectively ceded, the subjects of either powers established on one of the banks of the Lisonzo, and possessed of property on the other bank, shall be authorised to receive the produce of their property in kind, it being thoroughly understood, that such produce shall be legally occupied, conformably to the laws of police and customs in force in either state. This arrangement only relates to that portion of territory contiguous to the river.—IV. There shall be a military road communicating between the provinces of the kingdom of Italy to the right of the Lisonzo, Istria, and Dalmatia, and reciprocally. The conventions relative to this road shall be annexed to the present act.—V. A passage through the Austrian territories shall be granted to the Russian troops

coming from Cattaro, from the Kingdom of Italy to the Nieper. These troops shall march by battalions, with arms, baggage, and artillery. Every requisite aid shall be afforded them, and an arrangement relative to their subsistence shall be settled between the Courts of Petersburg and Vienna.—VI. The difficulties which arose in the execution of the treaty of Presburgh being done away by the restitution of the Mouths of the Cattaro, the Emperor of the French engages, that the fortress of Brannau shall be evacuated by his troops and those of his allies, which fortress shall be delivered to the Austrian troops one month at the latest after the exchange of the ratifications.—VII. The present convention shall be ratified as soon as possible, and the ratifications shall be exchanged in one month at the latest, at Paris.

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FRENCH COMMERCIAL DECREE, *Signed, NAPOLEON, and dated at Fontainebleau, Nov. 13, 1807.*

We, Napoleon, Emperor of the French, King of Italy, and Protector of the Confederation of the Rhine, upon the Report of our Minister of Finance, have decreed, and do decree, as follows:—Art. I. The enactments of our Imperial Decree of the 6th August, 1807, are applicable to the cargoes of vessels which may arrive in the mouth of the Weser; those articles of merchandize, therefore, specified in the 2d article of the said decree, shall be seized and confiscated; and all colonial produce shall be accompanied by certificates of origin delivered by our commercial commissaries at the different ports where they were taken on board.—Art. II. Our commercial commissaries shall not confine themselves, in their certificates, merely to attest, from the colonies of England, nor from her commerce; they shall also point out the place of their origin, the papers which have been submitted to them in support of the declaration made to them, and the name of the ship on board which they have been originally transported from the place where they were produced, to that where the commissaries reside. They shall address duplicates of their certificates to the Director General of the Customs.—Art. III. All ships which, after having touched at any British port, on any account whatever, shall arrive in the mouth of the Elbe and of the Weser, shall be seized and confiscated, together with their cargoes, without any exception or distinction of produce or merchandize.—Art. IV. The captains of ships arriving in the mouth of the Elbe or of the Weser, must make declaration to the chief offi-

cer of the imperial customs on that station, of the place from which they sailed, as well as of those which they touched at, and shall deliver to him their manifesto, bills of lading, sea-papers and registers. When the captain shall have signed this declaration, and delivered up his papers, the custom-house officers shall interrogate the sailors, one by one, in presence of two head collectors; if it appear, from this examination, that the ship has touched at an English port, beside the seizure and confiscation of the ship and cargo, the captain, as well as those of the sailors, who, upon their examination, have made a false declaration, shall be made prisoners, and shall not be liberated till after paying a sum of six thousand francs by way of penalty for the captain, and a sum of 500 francs for each of the arrested sailors, in addition to the penalties incurred by those who falsify their sea-papers and registers.—Art. V. If the advices and information communicated to the director of our customs resident at Hamburgh, excite suspicions with regard to the origin of the cargoes, they shall be provisionally deposited in warehouses, till it has been ascertained and decided, that they come neither from England nor from her colonies.—Art. VI. The line of officers of the customs formed upon the Elbe, and the frontiers of Holstein, shall be augmented by 100 men. The director general of our customs shall give the necessary orders for placing overseers detached from that line, at the ports situated on the mouth of the Weser, and for their exercising the strictest inspection of all ships which shall approach.—Art. VII. The inspectors of customs, are authorised to make visits to the Isle of Neuwerk, and to the Wats, or other little isles situated in the mouths of the Elbe and Wezer.—Art. VIII. The commandants of troops of the line, and of the Gens d'Armerie, are bound to lend their aid to these inspectors, as often as they shall be required to do so by the chief custom-house officers of the district.—Art. IX. Our ministers of war and finance, are charged, each in his own department, with the execution of this decree.

RUSSIA AND ENGLAND.—Order of Council for general reprisals against Russia.
Dec. 18. 1807.

At the Court at Windsor, the 18th of Dec. 1807, present the King's Most Excellent Majesty in Council. His Majesty having taken into consideration the injurious and hostile proceeding of the Emperor of all the Russias, as set forth in the Declaration of this date, issued by his Majesty's command; and being determined to take such measures

as are necessary for vindicating the honour of his Crown, and procuring reparation and satisfaction, his Majesty therefore is pleased, by and with the advice of his Privy Council, to order, and it is hereby ordered, that general reprisals be granted against the ships, goods, and subjects, of the Emperor of all the Russias (save and except any vessels to which his Majesty's licence has been granted, or which have been directed to be released from the embargo, and have not since arrived at any foreign port), so that as well his Majesty's fleets and ships, as also all other ships and vessels that shall be commissioned by letters of marque or general reprisals, or otherwise, by his Majesty's Commissioners for executing the office of Lord High Admiral of Great Britain, shall and may lawfully seize all ships, vessels, and goods, belonging to the Emperor of all the Russias, or his subjects, or others inhabiting within the territories, of the Emperor of all the Russias, and bring the same to judgment in any of the Courts of Admiralty within his Majesty's dominions, &c. &c. &c.

JAMAICA.—Resolutions, passed unanimously by the House of Assembly, on the 29th of Oct. 1807, relative to the distressed state of the Colony, and especially to the Abolition Act, passed by the last Parliament.

RESOLVED, That the Act of the Imperial Parliament for abolishing the Slave Trade is pregnant with evils to this Island, militating not only against its general welfare and interest, but threatening its total destruction as a British West India Colony.—That depriving this extensive and yet unsettled island of the means of a supply of labourers from Africa, to cultivate the soil, must be eventually ruinous to the proprietors and others interested in it; many industrious and enterprising settlers, who have braved the difficulties and hardships, always attendant on infant establishments in the interior and mountainous situations, will, with their families, be reduced to poverty and wretchedness; and, when these settlements are abandoned by their present inhabitants, they will again become the haunts and fastnesses of disaffected and rebellious negroes. * * * That properties in possession of mortgagees, receivers, guardians, and others, must shortly fall a sacrifice to this parliamentary regulation; because, from their peculiar circumstances, they cannot be supplied with labourers, the result of which will be, to deprive a numerous description of persons, from the earliest state of infancy, to the most advanced and helpless ages, of the common means of education and support.—The

committe further on part of th of the sl has so e clauses, the law measures of the loc this island nial laws wise pol tions. A the 15 G manumis acted by to.—Tha the one our com ject first measure tions wh which th from, h tion, by sive of, l nal gover of which ed by th rent stat That, as were fr assisted is manif the righ the nativ guishes ristic of Jamaica or inter island, l arbitrary II. to in upon thi deavours tions for without presenta we trust colony.— with off not, as i only in are ma Vice Ad interior an absol by depr by jury. the island

committee forbear, at present, to animadvert further on the injustice and impolicy of that part of the act which relates to the abolition of the slave trade. The British Parliament has so enacted it! But the act contains clauses, foreign to the avowed purposes of the law, which are calculated to establish measures of internal regulation, subversive of the local rights and legislative authority of this island, * * repugnant to its colonial laws long existing, and founded upon wise policy, and most humane considerations. And that the Act of this Island of the 15 Geo. III. cap. 18, for regulating the manumission of negroes, is directly counteracted by the operation of the clause alluded to.—That the act blends two distinct objects, the one having an external operation upon our commerce and trade, which was the object first professed by the partisans of the measure; the other, from the various alterations which the act has undergone, and in which the original principles were departed from, having an internal and unjust operation, by interfering with, and being subversive of, laws which are to regulate the internal government of the colony; the enacting of which has long and uniformly been asserted by this island, and recognized by the parent state. * * *

That, as the original settlers of this island were free British subjects, many of whom assisted in the conquest of it from Spain, it is manifest that they brought with them all the rights and privileges of Britons: that the native spirit of freedom, which distinguishes British subjects, is also the characteristic of his Majesty's loyal inhabitants of Jamaica; and that every attempt to abridge, or interfere with, the colonial rights of this island, have been constantly resisted. The arbitrary measures, in the reign of Charles II. to impose the Irish form of legislation upon this country; the many subsequent endeavours to substitute the King's instructions for laws of this island; to raise money without the concurrence of the people's representatives; have ever been resisted, and, we trust, will never be submitted to by this colony.—That persons in this island, charged with offences against the abolition act, are not, as in Great Britain, liable to be tried only in Courts of Record, but these offences are made also cognizable in the Court of Vice Admiralty, although committed in the interior of the country, which enactment is an absolute disfranchisement of the colonist, by depriving him of his birth-right, the trial by jury.—That, in regard to the resources of the island, it appears that, from the last great

efforts which have been made by the African merchant and factors in England, the importation of slaves in the current year has been so considerable, as to have produced, of the negro duties, a surplus of near £32,000 after deducting the estimate for the year, and that it is probable, that the duties which will arise from the negroes recently imported, and those which are expected to arrive before the day limited for the termination of the trade, will amount to a further sum of £20,000 making about £50,000 appropriable to the expence of the establishment of the island, or towards redeeming the island papers, which are outstanding, and which amount to £260,000, a considerable part bearing interest at eight per cent; but, immediately after the first day of March next, that resource will be entirely cut off. That another productive branch of the island revenue, the land tax, introduced to meet the heavy debt occasioned by the Maroon war, and other martial laws, cannot be relied upon to come in aid of our exigencies to the usual extent, since the uncultivated lands are now rendered of no value to the proprietors; the stamp duties will also, necessarily, be diminished; and the operation of the deficiency law will be unavailing, with respect to the objects either of policy or revenue, since the temptation which induced settlers to come to, or to continue in, the island, will no longer exist, the natural consequence of which will be, that the white militia must inevitably be considerably diminished.—That, in pursuing the inquiry into the causes which have occasioned the reduction of the value of the staple commodities of this island in the British markets, the committee find that much light has been thrown on the subject by recent publications, which have been widely circulated, and by the report of a committee of the Imperial Parliament, made the last session, after very full inquiry.—As these publications, and that report, are accompanied by, and grounded on, official documents, and the most respectable evidence, the committee consider it unnecessary to enter on an investigation of facts, now not controverted, and think they are justified in reporting that the following appear the principal causes which have produced the extreme depreciation of our principal staple, sugar: 1st, The departure from what has been usually called the rule of the war of 1756, but which, in fact, was established long before that period, and decided, "that a neutral had no right to deliver a belligerent from the pressure of his enemies' hostilities, by trading with his co-

lonies in time of war, in any manner which was prohibited in time of peace." 2d. The peculiar relaxations of this rule, by the orders issued to the prize-courts, in the years 1794 and 1798, respectively, which, with very trifling modifications, continue to regulate the decrees of those important tribunals. 3d. The geographical position of the ports of the United States of North America, the neutral power chiefly engaged in carrying the produce of the enemies' West India Colonies, which renders the few restrictions yet retained by the last-mentioned orders, to be hardly an inconvenience, as they are got over by systematic fraud and perjury. 4th. The easy expence, and security with which, by means of this fraudulent system of neutrality, the sugars of the enemies' colonies are transported to the European markets, it having been proved that, for freight and insurance alone, the British planter pays for every hundred weight of sugar, conveyed through the parent state to the ports of Holland, or the North of Europe, 8s. 11d. sterling, and to the Mediterranean, 12s. 6d. more than attaches on the goods of the French or Spanish cultivator, carried in neutral bottoms to the same markets. 5th. The restrictions on importation into the continental ports, from the power and influence of the French domination, whilst the temptation to resist or evade it, is taken away by the abundant supply brought under the neutral flag. 6th. A rigid enforcement of the navigation system against the British colonists, at the time when it was thought expedient to grant relaxations in favour of neutrals and enemies. The agriculture of the colonies of the latter has been encouraged by a monopoly of the demand from the United States of America, and by having their produce transported under the safe and cheap protection of the neutral flag, to every market where it was in request. The British planter, without funds or credit in the mother country, where his staple was of no value, has been restrained from bartering any part of his sugar, in exchange for the lumber and fish which could not be dispensed with, which his rum was unequal to satisfy, and for which, often, it would not be received, whilst it has been shewn that no other resources were left. He has been called upon to send to the American market such produce as he wished to sell or barter there in British bottoms, but no convoys have been appointed, no facilities given to

an intercourse which would have required the most decided and regular protection. He is required to sacrifice his all to the preservation of what is called the navigation system. Of that system he admits the wisdom and general utility; but he humbly submits, that it should be supported at the common expence of the empire; and must be permitted to doubt the justice of relaxing it for temporary purposes, in favour of other classes, and rigidly enforcing it against him alone, when not merely occasioning expence and inconvenience, but overwhelming him with ruin. 7th. The inadequacy of the demand for the use of Great Britain and Ireland, compared with the production of the colonies, which must, under the existing laws, be carried and deposited there, whether there shall or shall not be a prospect of exportation. The excess of importation, above the consumption of the United Kingdom, is nearly two-fifths of the whole quantity, or above 100,000 hogsheads of sugar; but the loss of two-fifths of the gross produce of his estate will be far from the measure of the planter's damage; the remainder can never bear a fair price, whilst the quantity in the market so far exceeds what the consumer requires. Which excess and depression are increased by encouraging a licensed intercourse with the Island of St. Domingo or Hayti. 8th. The excessive duties which continue to be levied on this staple now bearing no proportion to the price, falling nearly, if not wholly, on the grower, and not as has been at all times intended or professed, on the consumer.—To these may be added the discouragement to the planters by the consumption, in the navy and otherwise, of foreign brandies and spirits, the use of which might be in a great measure superceded by rum. A policy infringing the system of reciprocal monopoly, and aggravating distress, which more liberal conduct towards the colonies might have alleviated.—Continuing upon coffee a duty, amounting to a prohibition, in place of endeavouring to bring this wholesome beverage into general use, must be a just subject of complaint to the inhabitants of this island, and must by the committee be adverted to, as affecting the price of an important staple, which may soon be excluded from the continental market, through the only channel open to the grower.—But the overwhelming distress of the sugar-planter, swallows up all inferior and less pressing evils.

(To be continued.)